

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION

KENNETH WILLIAMS,	:	
	:	
Petitioner	:	
	:	
VS.	:	
	:	CIVIL No. 7:14-CV-98-HL-TQL
GEORGIA DEPARTMENT OF	:	
CORRECTIONS,	:	
	:	PROCEEDINGS UNDER 28 U.S.C. § 2241
Respondent.	:	

ORDER

Petitioner Kenneth Williams filed what the court deemed a petition pursuant to 28 U.S.C. § 2241. (Doc. 1.) Petitioner was thereafter ordered to pay the filing fee or file a proper motion to proceed *in forma pauperis*. (Doc. 4.) Petitioner was also ordered to re-file his habeas petition on this Court's standard § 2241 forms. Petitioner has failed to comply with the Court's order in the time allowed. On July 9, 2014, Petitioner was released from custody at Valdosta State Prison. (Doc. 3.)

"[A] case is moot when the issues presented are no longer live or the parties lack a legally cognizable interest in the outcome." *Al Najjar v. Ashcroft*, 273 F.3d 1330, 1335-36 (11th Cir. 2001) (internal quotation marks and citation omitted). "If events that occur subsequent to the filing of a lawsuit or an appeal deprive the court of the ability to give the plaintiff or appellant meaningful relief, then the case is moot and must be dismissed." *Id.* at 1336. Where a habeas petitioner who was protesting his detention is no longer in custody, the dispute with regard to his

detention is mooted. *See Spencer v. Kemna*, 523 U.S. 1, 7-8 (1998) (discussing “in custody” requirement of habeas statute 28 U.S.C. § 2254). Since the Court can no longer give the Petitioner any meaningful relief, the case is moot and “dismissal is required because mootness is jurisdictional.” *Al Najjar*, 273 F.3d at 1336.

WHEREFORE, Petitioner’s petition filed pursuant to 28 U.S.C. § 2241 is hereby **DISMISSED** as **MOOT** without prejudice to his right to file a new petition in the future if a change in his circumstances occurs.

SO ORDERED, this 25th day of August, 2014.

s/ Hugh Lawson
HUGH LAWSON, SENIOR JUDGE

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